

§ 101-45.602

pursuant to FPMR 101-45.6 and acquisition contracts pursuant to FAR 9.4, that official shall consider simultaneously debarring/suspending the contractor from the purchase of Federal personal property and the award of acquisition contracts. When debarring/suspending a contractor from the purchase of Federal personal property and the award for acquisition contracts, the debarment/suspension notice shall so indicate and the appropriate FPMR and FAR citations shall be included.

[50 FR 41145, Oct. 9, 1985]

§ 101-45.602 Listing debarred or suspended contractors.

(a) Contractors which have been debarred or suspended by agency debarring/suspending officials will be included on the Consolidated List of Debarred, Suspended, and Ineligible Contractors (FAR 9.404) in accordance with the procedures established at FAR 9.404.

(b) Agencies shall establish procedures for the use of the consolidated list to ensure that the agency does not solicit offers from, award contracts to, or consent to subcontracts with listed contractors, except as provided in FAR 9.405(a).

[50 FR 41146, Oct. 9, 1985]

Subpart 101-45.7—Submission of Bids

SOURCE: 37 FR 24666, Nov. 18, 1972, unless otherwise noted.

§ 101-45.700 Scope of subpart.

This subpart prescribes policies and methods relating to bids submitted in advertised sales of Government personal property and includes the treatment of late bids received in connection with such sales.

§ 101-45.701 Responsiveness of bids.

(a) To be considered for award, a bid must comply in all material respects with the invitation for bids so that, both as to the method and timeliness of submission and as to the substance of any resulting contract, all bidders may stand on an equal footing and the

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integrity of the formal advertising system may be maintained.

(b) Telegraphic or telephonic bids shall not be considered unless otherwise provided in the invitation for bids. (See § 101-45.4901-114C, item No. 3 entitled "Consideration of Bids.") The term "telegraphic bids" includes bids submitted by telegram or by mailgram. The following statement should be included in all invitations for bids: "The terms 'telegraphic bid' and 'telegraphic notice' include bids and notices by telegram or by mailgram."

(c) Bids shall be filled out, executed, and submitted in accordance with the instructions contained in the invitation for bids. If a bidder uses his own bid form or a letter to submit a bid, the bid may be considered only if (1) the bidder accepts all the terms and conditions of the invitation for bids and (2) award on the bid would result in a binding contract, the terms and conditions of the invitation.

[37 FR 24666, Nov. 18, 1972, as amended at 43 FR 11820, Mar. 22, 1978]

§ 101-45.702 Time of bid submission.

Bids shall be submitted so as to be received by the contracting officer not later than the exact time set for opening of bids. When telegraphic bids are authorized and such a bid is received by telephone from the receiving telegraph office not later than the time set for opening of bids, it shall be considered only if the bid is confirmed by receipt of a copy of the telegram or mailgram which formed the basis for the telephone call.

[43 FR 11821, Mar. 22, 1978]

§ 101-45.703 Late bids.

§ 101-45.703-1 General.

Bids received by the contracting officer after the exact time set for bid opening are late bids. (See §§ 101-45.4904-1-114C-1, 101-45.4901-114C-2, and 101-45.4901-114C-3 for item entitled "Consideration of late Bids, Modifications, or Withdrawals.") Late bids shall not be considered for award except as authorized in this § 101-45.703.

[42 FR 40854, Aug. 12, 1977]